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August 28, 2019

Hon. David N. Hurd, Judge
United States District Court
Northern District of New York
Alexander Pirnie Federal Building
10 Broad Street
Utica, New York 13501

RE: *Cayuga Nation, et al. v. Tanner, et al.* (5:14-cv-0317)

Dear Judge Hurd:

Simultaneous cross-motions for summary judgment are due on September 4, 2019. As you know, this case involves numerous complex issues of law as well as a threshold question to be raised by Defendants about whether some or all of Plaintiffs' claims are precluded by res judicata or collateral estoppel. As a result, Defendants respectfully request an enlargement of the parties' opening briefs to 13,000 words (approximately 37 pages) in light of the matters to be raised in the motions.

Counsel for Plaintiffs advises that Plaintiffs take no position on Defendants' request, and defers to the Court's discretion regarding the number of words or pages to be allowed for the parties' memoranda of law. Plaintiff does request that if an enlargement is granted for the parties' opening memoranda of law, the same enlargement be allowed for the parties' respective response memoranda of law.

Defendants believe the requested enlargement will assist the Court in resolving the dispute, especially in light of the fact that reply briefs are not included in the briefing schedule.

Respectfully submitted,



David H. Tennant